

REMARKS

In the application claims 1, 4, 5, 10, 11, 13-21, 42, and 43 remain pending. Claims 2, 3, 6-9, 12, and 22-41 have been canceled without prejudice. Claim 1 has been amended to correct a typographical error to thereby place the claims in better form for appeal. The entry of this amendment into the records is respectfully requested.

The pending claims currently stand rejected under 35 U.S.C. § 103 as being rendered obvious primarily by DeMaggio (U.S. Patent No. 7,292,989) in view of Applicant's Admitted Prior Art ("AAPA").

The reconsideration of this rejection is respectfully requested.

In the rejection of the claims, it was acknowledged that DeMaggio does not disclose, teach, or suggest one or more self-service drop-off containers having an associated inventory control system where the inventory control system logically checks off each good in an order for goods when the order for goods is deposited into the one or more self-service drop-off containers against a list of goods as indicated by a committed manifest...

While it was asserted that this claim element is disclosed in AAPA, it is respectfully submitted that the "Background" section of the subject application does not disclose or describe one or more self-service drop-off containers having an associated inventory control system where the inventory control system logically checks off each good in an order for goods when the order for goods is deposited into the one or more self-service drop-off containers against a list of goods as indicated by a committed manifest. Rather, the "Background" section of the subject application merely describes a vending machine which provides information to a server regarding goods dispensed from the vending machine. (See, e.g., Para. 0003 of the subject application).

Thus, because no reference of record discloses at least this claimed element, it is respectfully submitted that the rejection of the claims under 35 U.S.C. § 103 must be

withdrawn.

Considering now DeMaggio, DeMaggio discloses a system that functions merely to update the actual location of an item as it moves through a logistics network. In this regard, as an item is received at various points within the logistics network, such as a cross dock, a dynamic shipping label associated with the item is scanned, information is gathered, and the information is returned to a logistics station. The logistics station then uses the information provided to adjust the scheduling of the item for delivery to the ultimate recipient. (See, e.g., Col. 5, line 46-Col. 6, line 28).

While the Examiner has asserted that the use of “a checklist” as disclosed in DeMaggio “would indicate the ability to verify” (OA; pg. 4), it is respectfully submitted that DeMaggio only expressly discloses a driver using a checklist to verify each package that goes into and out of his truck. What is not expressly disclosed in DeMaggio, however, is using a checklist to logically check off each good in a received order for goods against a list of orders for goods that [an inventory control system associated with a drop-off container] is expecting as indicated by a committed manifest *to determine whether any goods within the received order for goods are either not expected or missing*. Accordingly, because DeMaggio does not expressly or inherently disclose, teach, or suggest this claimed element, it is respectfully submitted that the rejection of the claims under 35 U.S.C. § 103 must be withdrawn.

It is additionally respectfully submitted that issuing a notification that a palette is running late as disclosed in Col. 6, lines 16-28 of DeMaggio is not the same as the claimed aspect of generating and sending a communication alert to a security monitoring system when it is determined from a comparison of *a received order for goods* against a listing of goods set forth within a received, committed manifest that too few expected or unexpected goods are included within the *received order for goods*. In this regard, it will be appreciated that a late running pallet, e.g., a “missing pallet” as set forth in the rejection of the claims (OA; pg.

4), cannot be compared against a manifest because the late running pallet, by definition, has yet to be received at a stop. Thus, to the extent the Examiner continues to rely upon this disclosure within DeMaggio to support the conclusion of obviousness, clarification is respectfully requested as to how a late running pallet, e.g., a "missing pallet" which has yet to be received at a stop, is to be compared against a manifest in keeping with the invention that is claimed, particularly when the claims are considered in their entirety.

CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action on the part of the Examiner is respectfully requested. .

Date: July 8, 2011

Respectfully Submitted;

By: Gary R. Jarosik, Reg. No. 35,906
Greenberg Traurig, LLP
77 West Wacker Drive, Suite 2500
Chicago, Illinois 60601
(312) 456-8449

CHI 61,331,271v1